Why History Repeats Itself in Eastern DR Congo

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TIMOTHY RAEYMAEKERS, DEC 20 2012

Observers often agree that 'history repeats itself'[1] in Eastern Congo – from the slavery conditions imposed by Belgian King Leopold over Mobutu's predatory state, to today's armed militias. The reason why these ghosts come haunting Congo's present is primarily related to unending competition over the 'right to protect' unfree populations; under the circumstances, this protection rather refers to a double-edged commodity that means extortion for most and a negotiated form of peace for some. The existence of such regionalized markets for protection in Congo's eastern borderlands results in a situation whereby violent accumulation often outlives ideal statehood: soldiers, armed rebels, police and 'non-state' authorities fight for the right to exploit local communities and accumulate capital through extra-economic means. One the one hand, this pushes people further into poverty and undermines their efforts to earn a living; on the other, it leads to more stationary forms of predation as a result of post-war integration of such protection rackets into national state government.

In Eastern Congo, history appears to repeat itself. For the fourth time since the official war's end in 2003, a major rebel army in the east has been able to challenge the central government army on its main premises; on two occasions, this involved the occupation of a major city. Only after the initiation of major political negotiations were militia leaders agreeing to temporarily cede military operations. While the M23 movement officially asks for better political representation, thus causing major popular outrage agains the Kabila government, their leaders admit behind closed doors that these are merely window-dressing for their military objectives. In that sense the recent M23 attack against Goma not only constitutes a military menace but also it threatens the popular legitimacy of Congo's post-war government at its very heart.

The Congo Crisis is Bigger than M23

The past year has seen a significant proliferation of armed groups in eastern Congo. There are now over two-dozen armed groups in the two Kivu provinces alone. As a consequence of army troops concentration in these areas, severe security vacuums have been created where populations become a major source of illegal taxation, forced labor, and property theft by government non-state armed forces. An Oxfam assessment from December 2012 shows that people from communities across eastern Congo feel that their security situation has deteriorated rather than improved since the conflict officially is over. The violence is not limited to abuses of men, women and children by armed groups, but frequently involve the very state officials who are supposed to protect and support them. Provocatively, Oxfam suggests that Congolese people have themselves become 'commodities of war'[2].

How did it come this far? And why does 'history repeat itself' in eastern DRC? The sad reality is that this conflict would not even have made the headlines were it not for this major reason: that the Democratic Republic of Congo is technically at peace. After a short transition period of 3 years (2003-2006), president Joseph Kabila, who succeeded his father in the midst of war, was able to secure victory two times in national elections. Cohorts of foreign consultants advised him how to reform the national administration, finances and the army. Despite this political transition, peace has not yet taken root in the country, however: levels of violence have been on the rise in the east since the beginning of the transition period, with dire consequences for human security and economic development. The permanent presence of armed militias and their connections to foreign allies for many continues to be a sign of permanent government failure in the domain of national security and justice provision.

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Taking the blame of this permanent state of emergency is often either Kabila's decrepit government – which is increasingly awash by corruption and authoritarian traits, the UN Peacekeeping force MONUSCO, which, admittedly, has been unable to protect local citizens against enduring warfare, and, alternatively, the 'competition for natural resources'[3]. The reality is of course a little more complex. In sum, Congo's post-war environment is characterized by two main paradoxes both the central government and the 'international community' – a cover word for donor countries and Breton Woods institutions behind Congo's main reforms, have difficulty grappling with.

The first paradox is that strategies at building peace have frequently had the contrasting result of generating more incentives for warfare. By putting all their eggs in the basket of security sector reforms, but without securing a proper integration of the country's national army, Kabila's advisors have actually made warlordism a major power-sharing device. For armed actors, securing a place at the negotiation table has become a crucial aim to ensure their stakes in regional markets for protection, and brutal violence becomes an increasingly accepted strategy to do so.

In this sense, it is not surprising that militia presence in the east of the country has started to proliferate right *after* the armed conflict in DRC officially ended, because the process of state building significantly increased the prospects to reap the dividends of peace. Rather than a question of 'spoilers'[4], this post-war has been a direct consequence of the divergent paths the Congolese government and the international community have embarked upon to resolve what they see as the root causes of this ongoing crisis. While the government's strategy has usually been that of expanding political patronage to integrate warmongers into fragile state structures, international donors have pushed for more aggressive strategies; for example concentrating on the isolation of logistical support towards armed actors (notably through the UN's Group of Experts), or on the indictment of notorious war criminals like Bosco Ntaganda, one of the chief conspirators of the current M23 rebellion. One notably contradictory outcome of these divergences has been the nomination, of Ituri militiamen Peter Karim and Martin Ngudjolo as Colonels in the Congolese army, while their enemy Thomas Lubanga was indicted for war crimes at the ICT in The Hague[5]. On wider level, the consequences of these divergent roadmaps for peace in DR Congo have been double: on the one hand, they have contributed to a growing Congo *fatigue* among diplomats and international donor countries, thus placing Congo's central government further in a defensive position. On the other hand, they appear to put forward a central militarized government as the only possible solution to perceived problems of state 'failure'.

After the 2006 elections that brought Kabila jr. to power, the feeling reigned that his country was able to overcome the ghosts from the past. After all, Congo was a democracy now. Despite the returning 'Kivu problem', signs were pointing towards a steady post-conflict reconstruction. Ironically, however, nobody outside Congo appeared to acknowledge that the country's political landscape was not a blank slate, but rather a multi-layered configuration of political alliances that were competing for a monopoly over power, profit and protection in quite a number of different domains[6]. His eagerness to 'look like a state' has made Kabila and his government and army feel increasingly under pressure to 'do something' about their perceived government failure in the domain of justice and national security, attempts which logically led to abrupt changes in these networks of political patronage[7].

At the same time, Kabila's progressively hard-handed tactics in the east have led to an even wider isolation and weakening of his government at a regional and international level, to the extent that its legitimacy is now fundamentally at stake. Despite a few symbolic acts to counter Rwanda's overt stake in the current M23 insurgency, Western diplomats are visibly turning Kabila their backs. Donor countries in the UN also increasingly distance themselves from their support for the Congolese army, which remains disintegrated, lacks coordination and is known mostly because of its systematic predation and rape of Congolese citizens. Not entirely new as a strategy has been the former colonial powers' aversion from such Frankenstein-type figures they have themselves, at least partly, helped to create. For Kabila, this change of course means that the 'West' now needs to be isolated further to the benefit of actors who don't see a powerful central state as a principal condition for their dealings with governments in the South: numerous shady agreements with opaque business conglomerates and international 'rogue states' like North Korea testify to this evolution; they increasingly make the Congolese state look like the warlords it claims to be fighting in the national domain.

The Congolese Road to Development

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The second paradox of Congo's post-war environment is what I would call the Congolese-road-to-development. Similarly to Somalia's decentralized, non-state, networked forms of political organization some refer to as 'mediated statehood'[8], the DRC has continued to experience different aspects of network war even under post-war conditions. Mark Duffield once explained such wars as violent forms of globalization, which pitch competing violent actors (including states) against each other in their bid for community 'protection'[9]. Supposedly armed groups offer such protection to wave off the predatory behavior of their competitors; but mostly it serves against the stationary banditry they constantly engage in themselves. Rather than social rootedness, armed politicians typically use their privileged connections to global economic markets and political protectors to become locally embedded. Although this logic sounds sweeping, different constellations are nonetheless possible in such regional markets for protection; and different political orders may be maintained through such decentralized forms of development, depending on the level of autonomy, capital-versus-coercion based rule and political integration of the armed actors involved[10].

The dynamics underpinning the Congolese-road-to-development can be summarized as such: armed actors – including states – who are competing in the regional market for protection try to monopolize the coercion of peasant populations by territorializing their control over important assets; such assets can be mines, or major roads, or any economic activity that has a potential to be taxed. To be clear, the territorial control these agents seek to establish should be interpreted as only a means to an end: to coerce and tax economically active populations. So their control is only relatively territorial. One could compare their behavior to organized crime groups: for the mafia, for example, the '*signorie territoriale*' constitutes the most tested aspect of its political subjectivity: originally invoked to supervise the payment of protection money, the '*signorie*' gradually became a way of recognizing the role of '*mafiosi*' as effective power holders and 'alternative' taxmen[11]. But contrary to some overtly economistic interpretations[12], the parallel between mafia and mediated government ends here.

The permanent presence of armed protector movements, be they state agents or not, depends on their successful diversion of local protection money to the movement's benefit, but this may produce rather counter-productive outcomes for them in the long run. Contrarily to ordinary banditry, the evidence from Eastern DRC suggests that the institutional equilibrium between coercive agents and their forced clientele can range from pure extortion practices to some kind of "negotiated peace", a slippery balance that highly depends on the social ties community local citizens are able to establish with these forced 'protectors'[13]. As a wider consequence, however, this constant diversion of rents from productive laborers towards over-taxing extortionists increasingly puts the former under pressure and often leads to a serious depletion of peasant households. While the capital coercive agents are able to generate increases their likelihood of participation in post-war government, it further erodes their legitimate basis by increasingly pushing farmers away from their productive means, which tend to be over-taxed and becomes insecure as a result.

More concretely, the massive displacements armed violence continues to generate in the eastern parts of DRC[14] increasingly stimulates the emergence of a 'hyper-mobile' form of livelihood, which cyclically migrates between economic activities in the mines, farmland and 'spontaneous' urban settlements close to major cities and on the major axes. Especially the latter are becoming growing magnets for non-agricultural activities in the so-called 'informal' domain, such as urban markets and cross-border trade, which consequently have become the major alternatives to eroding agricultural economies.

In contrast to humanitarian aid agencies, which stubbornly continue to focus their efforts on more or less 'stable' localities like camp sites or urban agglomerations, this permanent state of emergency and hyper-mobility may in the long run may very well cause an even greater socio-economic shift in Eastern DRC that works to the benefit of the various brokers who strategically subscribe to the armed actors' 'protection'. The evidence suggests that Eastern Congo's borderlands are already experiencing a shift from an agricultural towards an urbanized regional economy. As has happened before during periods of radical political transformations, such a restructuring of productive economic activity around armed actors and their clients may set in motion more stationary forms of local predation, which nonetheless acquire the benefit of legitimacy once they succeed to integrate themselves in wider political constellations[15]. The same evidence suggests that peace processes, or attempts to 'buy off' armed contenders with the promise of integrating them in future governments, actually may stimulate a permanent competition over local protection rackets in case state governments fail to impose themselves as the only 'taxman' and coercive

authority over competing non-state authorities. To summarize, it may be useful to think that the reason why DR Congo continues to be a mediated state, characterized by a plethora of institutions, tariffs and jurisdictions in its eastern borderlands, may have to do inasmuch with the perceived failure of central government to expand political patronage, as with the international community's flawed attempts to coerce powerful protection rackets into an ideal-type post-war state.

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[1] The Guardian 23 November 2012

[2] Steven Van Damme, Commodities of War. Communities speak out on the true cost of conflict in eastern DRC, *Oxfam Briefing Paper 164*, Oxfam: New York, November 2012.

[3] See for example http://www.enoughproject.org

[4] Stephen J. Stedman, Spoiler Problems in Peace Processes, *International Security*, vol. 22, no. 2., 1997 ; Marcia Byrom Hartwell, Violence in Peace. Understanding Increased Violence in Early Post-Conflict Transitions and Its Implications for Development, *WIDER Research Paper*, n° 2006/18, WIDER, New York, February 2006.

[5] Ngudjolo was later indicted by the same international tribunal, but acquitted of all charges.

[6] Timothy Raeymaekers and Koen Vlassenroot, New political order in the DR Congo? The transformation of regulation, *Afrika Focus*, 21 n° 2, December 2008, pp. 39-52; see also by the same authors: Kivu's intractable security conundrum, *African Affairs*, 108/432, 2009, pp. 475-484.

[7] Examples of such government reactions were, in September 2011-March 2012, the export ban for Congolese minerals from North and South Kivu and, in July 2012, the judicial warrant for Bosco Ntaganda, whom Kabila had until recently granted an important leadership role in the national army. Both these decisions had quite a detrimental impact on human security, with huge population displacements, a dangerous mutiny as well as wider regional destabilization as a result of Rwandan-Congolese divergences over the M23's demands.

[8] Mark Bradbury, Living with statelessness: the Somali road to development, *Conflict, Security & Development*, 3:1, 2003, pp. 7-25 ; Timothy Raeymaekers, Ken Menkhaus and Koen

Vlassenroot, State and non-state regulation in African protracted crises: governance without government? in: Afrika Focus, 21 n° 2 (special issue on 'governance without government in African crises), December 2008, pp 7-21.

[9] Mark Dufield, *Global governance and the new wars: the merging of development and security,* London: Zed Books. 2001.

[10] Timothy Raeymaekers, Protection for Sale? War and the Transformation of Regulation on the Congo-Ugandan Border, *Development and Change*, 41/4, 2010, pp. 563-587 ; see also: Jonathan Goodhand, Corrupting or consolidating the peace? The drugs economy and post-conflict peacebuilding in Afghanistan, *International Peacekeeping*, Vol.15, No. 3, June 2008, pp.405–423; Richard Snyder, Does Lootable Wealth Breed Disorder? A Political Economy of Extraction Framework, *Comparative Political Studies*, vol. 39, no. 8, 2006, pp. 943-968.

[11] Salvatore Lupo, *History of the Mafia*, New York, Columbia University Press, 2009.

[12] Some economists continue to compare armed groups (but not governments) to ordinary bandits, a perspective which is progressively contested by the evidence from contemporary (post-)wars: Berdal, M. (2005), Beyond greed and grievance – and not too soon…: *Review of International Studies*, 31, pp. 687-698.

[13] Compare, for example Nicholas Garrett, Sylvia Sergiou and Koen Vlassenroot, Negotiated peace for extortion: the case of Walikale territory in eastern DR Congo, *Journal of Eastern African Studies*, 3:1,2009, pp. 1-21, with Timothy Raeymaekers, 2010, o.c.

[14] Between 1.5 and 2 million people in eastern Congo are constantly on the move. In North Kivu and South Kivu, 767.000 people have fled their homes since the beginning of 2012; an additional 60.000 people have fled into neighbouring Uganda and Rwanda (UNOCHA and UNHCR numbers).

[15] In Congo this dramatic commodification of people's productive labour has been going on since late 1980s, although it has taken a different shape during the war through the militarization of land access rights: Koen Vlassenroot and Chris Huggins, Land, migration and conflict in eastern DRC, in: Huggins, C. and Clover, J., eds., From the Ground Up: Land Rights, Conflict and Peace in Sub-Saharan Africa , Pretoria , ISS, 2005, pp. 115-194.

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